



U.S. Department of Justice

*United States Attorney
District of Maryland*

Michael C. Hanlon
Assistant United States Attorney
Chief, Criminal Division

Suite 400
36 S. Charles Street
Baltimore, MD 21201-3119

DIRECT: 410-209-4895
MAIN: 410-209-4800
FAX: 410-962-9293
Michael.Hanlon@usdoj.gov

July 3, 2025

The Honorable Adam B. Abelson
United States District Judge
U.S. Courthouse
101 W. Lombard Street
Baltimore, Maryland 21201

Re: United States v. Rodney Gaines
Crim. No. SAG-22-0125

Dear Judge Abelson:

In advance of the sentencing scheduled for July 8, 2025, the government writes to advise the Court of the order of witnesses whom it anticipates presenting during the sentencing and the general topics that the government will cover with those witnesses. The government has previously described this information in its sentencing memorandum and its witness notice. This letter is intended to provide the Court with an approximate roadmap of how the government will present the witnesses.

Civilian Witness testimony: The government will call the civilian witness discussed in its sentencing memorandum. The civilian witness will discuss their relationship to Gaines as well as some of the events leading up to the murder of Kevin King, Jr.; events on the evening of the murder of Kevin King Jr.; and their interactions and communications with Rodney Gaines.

Cooperating Witness testimony: The government will call the cooperating witness discussed in its sentencing memorandum. The cooperating witness will testify about what he observed with respect to Gaines, other persons, and the circumstances of Kevin King's murder on January 31, 2022, to include discussions he had with Gaines about Kevin King before and after the murder.

Special Agent Jasmine Lewis: Special Agent Lewis (who testified during the trial) will serve to provide some of the background information and documentary evidence concerning the murder of Mr. King. Special Agent Lewis's testimony will include summary information on topics such as the timing of 911 calls, the crime scene investigation,¹ and phone records. Such testimony

¹ The government had given notice that it might call a Maryland State Police crime scene technician who responded to the Kevin King murder scene. However, the witness is close to maternity leave and so the government will likely not ask that witness to attend.

is admissible during a sentencing proceeding even if it might ordinarily not be admissible at trial through the testimony of the Special Agent herself. *See United States v. Stukes*, 774 Fed. Appx. 788, 790 (4th Cir. May 29, 2019) (finding no error in the admission at sentencing of testimony from FBI special agent about three informants concerning defendant's criminal activities and noting that "hearsay is admissible at sentencing, and the fact that it is uncorroborated does not, by itself, render it unreliable. Rather, a defendant must show that the disputed information is unreliable, and why.") (citing *United States v. Terry*, 916 F.2d 157, 162-63 (4th Cir. 1990)); *United States v. Mondragon*, 860 F.3d 227, 233 (4th Cir. 2017) (district court "may consider any relevant information before it, including uncorroborated hearsay, provided that the information has sufficient indicia of reliability to support its accuracy.") (internal quotation marks omitted); *see also* U.S. Sentencing Guidelines Manual § 6A1.3(a).

Specifically, we will cover the following topics during the testimony of Special Agent Lewis:

- The first 911 call following the murder of Kevin King was made to the Westminster Police Department at 11:15pm on January 31, 2022.
- Police responded and discovered Mr. King at 114 S. Center Street, Westminster, Maryland.² Special Agent Lewis will also testify regarding these photographs and reports.
- During Special Agent Lewis's testimony, we are also prepared to play or discuss two wiretap calls referenced in the government's sentencing memorandum, including the transcripts attached as Exhibit 15 (previously played during the trial as Trial Exhibit 1.85) and Exhibit 24.
- We will present an excerpt of the phone records of Andre Mills during Special Agent Lewis's testimony. The excerpt will include those portions of the records covering the calls between Mills and Gaines, and between Mills and Kevin King, on the evening of January 31, 2022 (discussed in the government's sentencing memorandum at 13-14).
- Special Agent Lewis will also testify about the identification of certain telephone numbers relevant to the Mills phone records and also phones at issue in the phone locational analysis of Special Agent Fowler (discussed below).

² The government has already attached several exhibits to its sentencing memorandum on the subject of the King murder investigation: crime scene photos showing Mr. King deceased (Government sentencing memorandum Exhibit 16) and the narcotics found on Mr. King's person (Exhibit 17); the police laboratory report confirming that the drugs on Mr. King's person were determined to be cocaine (Exhibit 18); and the autopsy report for Mr. King, showing the cause of death and manner of death (Exhibit 19). An aerial image of the Center Street complex including 114 S. Center Street was also included in the government's sentencing memorandum.

Special Agent Michael Fowler: Special Agent Fowler will testify about his analysis of location information for several cellular phones. An excerpt of Special Agent Fowler's analysis is attached as Exhibit 21 to the government's sentencing memorandum.

We thank the Court for its consideration of this matter.

Very truly yours,

Kelly O. Hayes
United States Attorney

/s/
LaRai N. Everett
Michael C. Hanlon
Assistant United States Attorneys

cc: Charles Burnham, Esquire